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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

ALEXANDRA BOOT, an individual,

Plaintiff,

v.

LAKE OSWEGO 7J SCHOOL DISTRICT,
an Oregon public corporate entity by and
through the Board of Directors of Lake Oswego
7J School District;

Defendant.

Case No. 3:23-CV-00480

**DECLARATION OF BROOK MANNING
IN SUPPORT OF MOTION FOR
TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

I, Brook Manning, under penalty of perjury, do hereby state and declare as follows:

1. I am over the age of 18, am competent and I make the following statements which are true and based upon my personal knowledge and observation.

2. Alexandra Boot is my daughter and was attending Lake Oswego High School (“LOHS”) within the Lake Oswego School District (“LOSD”) as a senior. She was expected to graduate in June, 2023. She was admitted to Oregon State University to begin college this Fall.

3. On October 24, 2022 my daughter informed my husband and I that she was raped in August 2022 by a fellow student who attends LOHS.

4. During the week of October 25, 2022 my daughter stopped attending LOHS due to her surfacing trauma from the rape.

5. On November 7, 2022 I met with LOHS Administrator Ryan Rosenau to discuss a safety plan. I requested that the male student that raped my daughter be transferred to Lakeridge High School or to an alternative education program. LOHS never responded to this request.

6. A Safety Plan created by Ryan Rosenau. I understand this Safety Plan was given and explained to the offending male student. The Safety Plan contains the specific admonition to adhere to the safety plan with fidelity and failure to follow it will result in discipline up to and including expulsion.

7. After this Safety Plan was created, my daughter returned to school.

8. In January 2023 our family learned that our daughter was accepted to Oregon State University for college, which she plans on beginning this Fall. LOSD/LOHS knows of our daughter's acceptance to OSU. Attached as Exhibit 1 is an email from LOHS.

9. In February, 2023 my daughter reported that C.T., the offending student, was not following the Safety Plan.

10. On February 10, 2023 I met with Administrator Ryan Rosenau to discuss a new safety plan and during this meeting he apologized for failing to update the safety plan for the new semester term.

11. Attached as Exhibit 2 is my email to Ryan Rosenau on our requests to have the offending student C.T. transferred out of LOHS.

12. Attached as Exhibit 3 is my email to LOHS regarding my daughter's academic progress and LOHS's knowledge of her acceptance to OSU and the issue of her English credit. This email string also documents Ryan Rosenau's failure to discipline my daughter's rapist for

violating the safety plan and LOSD's sexual harassment policy and that he recommended that my daughter leave LOHS instead of her rapist.

13. Attached as Exhibit 4 is an email from LOSD stating my daughter was being withdrawn from school due to 10 consecutive days of absences and that she will no longer be a student as of April 3, 2023. LOSD sent this email knowing it will cause my daughter to not graduate from school and lose her admission to OSU.


14. Attached as Exhibit 5 is my March 20, 2023 email to LOHS about my daughter not attending school because it is not safe for her and the inaction of LOHS administration and deliberately choosing to further harm victims of rape and sexual assault.

15. Attached as Exhibit 6 is my April 3, 2023 email from LOHS stating my daughter is un-enrolled.

16. To my knowledge no discipline or adverse action is taken against the offending male student for violating the Safety Plan. He has not been transferred to Lakeridge High School or alternative education program.

I hereby declare under penalty of perjury that the foregoing is true and correct.

DATED this 3rd day of April, 2023.

By 
Brook Manning

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing DECLARATION OF BROOK MANNING IN SUPPORT OF MOTION FOR TRO AND PRELIMINARY INJUNCTION on the party listed below by the following indicated method or methods:

Dr. Jennifer Schiele, Superintendent
schielej@loswego.k12.or.us
Lake Oswego School District
2455 Country Club Road
Lake Oswego, OR 97034

Ms. Nancy J Hungerford, OSB 812685
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Attorney for Defendant

☐ by electronic means through the U.S. District Court, District of Oregon's CM/ECF document filing system.

☒ by mailing a full, true and correct copy thereof in a sealed, first-class postage paid envelope, addressed to the address as shown above, with the U.S. Postal Service at Portland, Oregon, on the date set forth below.

☒ by causing a full, true, and correct copy thereof to be hand-delivered to the attorney at the attorney's last known office address listed above on the date set forth below.

☒ by emailing a full, true, and correct copy thereof to the attorney at the fax number shown above, which is the last-known fax number for the attorney's office, on the date set forth below.

DATED this 3rd day of April, 2023.

/s/ Kevin Brague
Kevin C. Brague, OSB No. 050428